

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GREGORY TYREE BROWN,

Plaintiff,

v.

DEVON SCHRUM, et al.,

Defendants.

Case No. C08-5326RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon motions brought by plaintiff and defendants. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Defendants seek an extension of time to file the Joint Status Report due to defendants' pending motion for summary judgment. Because defendants' pending summary judgment motion, if granted, would be dispositive of the issues in the case, Defendants' Motion to Extend Deadline for Joint Status Report [Dkt. #64] is **GRANTED**. If necessary, the Court will set a new date for the Joint Status Report after ruling on the pending Report and Recommendation.¹

Plaintiff has filed two "Motion(s) for Reconsideration." This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636. Under Fed. R. Civ. P. 72(a) the non-

¹The Court notes that defendants' papers have in the upper right corner the wrong District Court Judge. The case is assigned to this Court and not to the Honorable Robert J. Bryan.

1 dispositive order of a magistrate judge to whom the matter has been referred may be reviewed by the
2 District Court upon the objection of a party. The Court construes plaintiff's "Motion(s) for
3 Reconsideration" in this instance to be objections.

4 In plaintiff's first such motion, he objects to Magistrate Judge Creatura's denial of his request for
5 sanctions. Plaintiff's objection lacks merit and, as such, his "Motion for Reconsideration" [Dkt. #66] is
6 **DENIED**. In his second motion, he objects to Magistrate Judge Creatura's rulings on three other pretrial
7 motions. Plaintiff's objections to the rulings also lack merit and, as such, his "Motion for
8 Reconsideration (CR 7(h))" [Dkt. #70] is **DENIED**.

9 Plaintiff's "Motion to Strike Affidavit of Service by Mailing Dated July 7, 2009" [Dkt. #76] is
10 **GRANTED**. The record now correctly reflects the proper mailing date of July 5, 2009 for Plaintiff's
11 Motion for Reconsideration [Dkt. #70]. Plaintiff's "Motion for Expedited Hearing" [Dkt. #75] is
12 **DENIED as MOOT**.

13 Plaintiff's "Motion for Extension of Time" to file his objections to the Report and
14 Recommendation [Dkt. #79] is **GRANTED**. Plaintiff's objections shall be filed no later than August 31,
15 2009 and the Report and Recommendation will be noted for September 4, 2009. Plaintiff's "Motion for
16 Expedited Hearing" [Dkt. #81] is **DENIED as MOOT**.

17 **IT IS SO ORDERED.**

18 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party
19 appearing pro se.

20 Dated this 14th day of August, 2009.

21 
22 RONALD B. LEIGHTON
23 UNITED STATES DISTRICT JUDGE